

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CRIMINAL CASE NO. 1:18-cr-00036-MR-WCM-1**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	<u>ORDER</u>
)	
LESLIE McCLURE BYERS,)	
)	
Defendant.)	
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THIS MATTER is before the Court on the Defendant's letter, which the Court construes as a renewed motion for compassionate release pursuant to 18 U.S.C. § 3582(c)(1)(A). [Doc. 72].

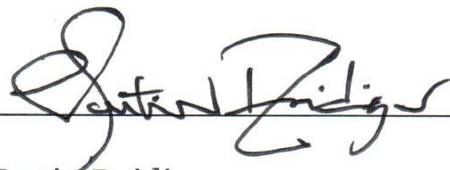
On May 5, 2020, the Defendant, through counsel, filed a motion for a partial sentence reduction pursuant to 18 U.S.C. § 3582(c)(1)(A) based on her deteriorating health and the COVID-19 pandemic. [Doc. 63]. On June 29, 2020, the Court denied the Defendant's motion without prejudice, noting that the requested partial reduction of sentence did not appear to be consistent with the policy statement pertaining to compassionate release as set forth in U.S.S.G. § 1B1.13. [Doc. 71].

The Defendant, now proceeding *pro se*, renews her request for compassionate release pursuant to 18 U.S.C. § 3582(c)(1)(A), seeking a reduction of her sentence that would allow her to be immediately released and/or released to home confinement. [Doc. 72]. Upon review of the Defendant's motion, the Court will allow the Government an opportunity to file a response. In its response, the Government should address the issue of whether the Court is authorized to grant a compassionate release when doing so would reduce the defendant's sentence to below the mandatory minimum sentence imposed by statute.

IT IS, THEREFORE, ORDERED that the Government shall have thirty (30) days from the entry of this Order to file a response to the Defendant's letter, which the Court construes as a renewed motion for compassionate release.

IT IS SO ORDERED.

Signed: July 3, 2020



Martin Reidinger
Chief United States District Judge

